

From: [Franz, Hayley](#)
To: [Gaito, Danielle](#); stergios.spanos@des.nh.gov
Subject: RE: Powder Mill and Water Rights
Date: Friday, August 07, 2020 3:33:39 PM

Hi Danielle,

I apologize for the delayed response on this; we have had to forward this question to a few people in order to track down an answer. According to the DES Dam Bureau, the deed states that the State of New Hampshire (Fish and Game) owns the dam and has flowage rights to maintain the water level in the lake at 648.5 ft above sea level. We were not able to find anything regarding the 6.48 MGD withdrawal rate.

We can discuss this further next week if needed.

Thanks,
Hayley

Hayley Franz, P.E.

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From: Gaito, Danielle <Gaito.Danielle@epa.gov>
Sent: Tuesday, July 21, 2020 4:27 PM
To: Spanos, Stergios <Stergios.Spanos@des.nh.gov>
Cc: Franz, Hayley <Hayley.Franz@des.nh.gov>
Subject: Powder Mill and Water Rights

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Hi Sterg –

Hope you are well. In responding to comments on the Powder Mill hatchery I came across a comment that says NHF&G has “water rights” to divert up to 6.48 MGD from the Merrymeeting Lake but did not provide any documentation or source. Jason Smith at F&G was not aware of any water rights – they operate the dam to maintain lake levels but have no limitations on water withdrawals. Could you check with the appropriate DES/F&G staff to confirm whether there are any restrictions on water withdrawals from Merrymeeting Lake for the Powder Mill hatchery?

Thanks!
Danielle

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